

IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

IN RE: : CHAPTER 13
:
STACEY LEE JACOBS : CASE NO. 17-40457-EJC
:
Debtor : JUDGE: EDWARD J. COLEMAN III
:
:

OBJECTION TO CONFIRMATION OF PLAN

COMES NOW DITECH FINANCIAL LLC, (hereinafter known as "Creditor"), a secured creditor holding a Security Deed on real property commonly known as 301 Paradise Drive, Savannah, GA 31406, and for the reasons stated below, objects to confirmation of the Plan, as follows:

1.

Creditor anticipates filing a pre-petition arrearage claim in the approximate amount of \$25,733.99, more particularly described in the proof of claim once filed. The plan calls for an estimated pre-petition arrearage amount of \$18,000.00. Debtor has underestimated the amount of the arrearage due to the Creditor, and the monthly arrearage disbursements that would be needed to cure the arrears exceed Debtor's monthly disposable income. As such, the Plan will exceed 60 months, contrary to 11 U.S.C Section 1322 (d)(2).

2.

Creditor reserves the right to raise the failure of Debtor to have made post-petition payments, if at confirmation that appears to be the case.

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WHEREFORE, Creditor prays that the Court deny confirmation of the Plan. Creditor prays for reasonable attorney's fees and for such other and further relief as is just and equitable.

/s/ Ciro A. Mestres

Ciro A. Mestres, Bar No.: 840253

Attorney for Creditor

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CERTIFICATE OF SERVICE

I certify that I am over the age of 18 and that on the date written below a copy of the foregoing ***Objection to Confirmation of Plan*** was served by email or by first class U.S. Mail, with adequate postage prepaid on the following persons or entities at the addresses stated:

The following Parties have been served via email by virtue of their participation in the CM/ECF system:

Jeffrey S. Hanna

O Byron Meredith, III

The following parties have been served via U.S. Mail:

Stacey Lee Jacobs
301 Paradise Dr.
Savannah, GA 31406

Dated: April 27, 2017

/s/ Anne E. Penaloza.
Anne E. Penaloza
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